

**THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**
Caption in Compliance with D.N.J. LBR 9004-1(b)

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-and-

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In re:

BED BATH & BEYOND INC., *et al.*,¹

Debtors.

Case No. 23-13359 (VFP)

Chapter 11
(Jointly Administered)

Hearing Date: October 24, 2023 at 10:00 a.m.

**CERTIFICATION OF COUNSEL IN SUPPORT
OF BEN ROSENZWEIG, MARJORIE L. BOWEN, AND SHELLEY LOMBARD'S
MOTION FOR ENTRY OF AN ORDER ALLOWING THE ADVANCEMENT
AND PAYMENT OF DEFENSE COSTS PURSUANT TO
THE DEBTORS' D&O INSURANCE POLICY**

1. I am an attorney-at-law within the State of New Jersey and an associate at the law firm of Bryan Cave Leighton Paisner, counsel to Ben Rosenzweig and Marjorie L. Bowen in the

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

above matter. I make this certification based upon personal knowledge and in full compliance with D.N.J. LBR 7007-1. I also make this certification in support of *Ben Rosenzweig, Marjorie L. Bowen, and Shelly Lombard's Motion for Entry of An Order Allowing the Advancement and Payment of Defense Costs Pursuant to the Debtors' D&O Insurance Policy*.

2. Attached as Exhibit "A" is a copy of the Debtors' Directors & Officers' Policy for the policy period running from September 15, 2021 to September 2022 issued by Zurich with an aggregate limit of liability of \$10,000,000.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: October 3, 2023

BRYAN CAVE LEIGHTON PAISNER LLP

/s/ Brigid Ndege

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